

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.

KRISTIN SLEEPER,

Plaintiff

v.

THE DENNIS GROUP, INC., ANDRADE  
GUTIERREZ OF AMERICA, INC. and DAN  
MCCREARY,

Defendants

**COMPLAINT AND JURY DEMAND**

**Parties**

1. The Plaintiff, Kristin Sleeper (hereinafter referred to as “Plaintiff”), is a natural person with a residential address of 19 Ripley Street, Wilbraham, Massachusetts.
2. The Defendant, The Dennis Group, Inc. (hereinafter referred to as “Defendant Company Dennis Group,” or when referred to collectively with other named defendants, as “Defendants”), is a corporation that operates businesses located at 1537 Main Street, Springfield, Massachusetts.
3. The Defendant, Andrade Gutierrez of America, Inc., (hereinafter referred to as “Defendant Andrade Gutierrez,” or when referred to collectively with other named Defendants, as “Defendants”), is a corporation that operates businesses located at 5847 San Felipe Street, Suite 2400 in Houston, Texas.

4. The Defendant, Dan McCreary, (hereinafter referred to as “Defendant McCreary,” or when referred to collectively with other named Defendants, as “Defendants”) is a natural person with a business address of 1537 Main Street, Springfield, Massachusetts.

### **Jurisdiction**

5. This Court has jurisdiction over the claims set forth herein, pursuant to 28 U.S.C. §§ 1331 and 1332 and otherwise. There are federal questions of law and the amount in controversy is in excess of \$75,000.00. The Plaintiff’s claims are brought under Title VII of the Civil Rights Act of 1964, as amended. This Court has supplemental jurisdiction over the state law claims brought under M.G.L. c. 151B, pursuant to 28 U.S.C. § 1367.

### **Facts**

6. The Plaintiff began her employment with Defendant Company Dennis Group in or about July of 2016 as a Marketing Proposal Coordinator in Springfield, Massachusetts.
7. The Plaintiff performed her job responsibilities well throughout the course of her employment with the Defendant Company Dennis Group.
8. During the Plaintiff’s employment with the Defendant Company, she was sexually harassed by her supervisor, Defendant McCreary.
9. In or about July 2016, the department went to get food across the street from work at the end of the day and many of the employees were drinking. The Plaintiff excused herself after one drink and went home for the night, while other employees remained at the restaurant. The next morning at a team meeting, the employees were talking about the night before. The Plaintiff commented that she didn’t know how the employees could do that because she cannot drink. Defendant McCreary responded, “No wonder why your husband left you.”

10. In or about October 2016, Defendant McCreary said to the Plaintiff, “You know I want more than a business relationship with you, right?” The Plaintiff made clear that she was not interested in a relationship.
11. Defendant McCreary also constantly made inappropriate and uncomfortable comments to other employees in the Plaintiff’s presence such as, “You can’t come to this meeting unless you guzzle this beer,” saying employees had “pencil dicks,” and “What’s the matter? You can’t find anyone to nail to a cross today?” There are other examples as well.
12. On multiple other occasions, Defendant McCreary also referred to the Plaintiff’s ex-husband as having a “pencil dick.”
13. In or about February 2017, the Plaintiff excused herself from a marketing meeting because she received a phone call from her daughter. When she returned, she expressed her frustration that her daughter always invited her boyfriend over the house, and Defendant McCreary responded that her daughter was a “tart,” insinuating that her daughter was having sex.
14. On another occasion, there was a marketing meeting via Skype, discussing a tradeshow in Brazil. During this meeting, someone mentioned using “booth babes.” After the meeting, Defendant McCreary sent an email to the team of a “booth babe,” which was of a woman dressed provocatively in order to lure people to the booths.
15. After rejecting Defendant McCreary, she was given little to no direction, ignored, neglected and was left to complete many tasks on her own, despite a team-based environment.
16. The Plaintiff resisted and reported the harassment to Human Resources. However, very

shortly after she complained, the Plaintiff's employment with the Defendant Company was terminated on or about June 16, 2017. The Defendant Company indicated that the company culture was not a good fit for her.

17. The Plaintiff has satisfied the prerequisites to filing suit.

**Count I**

**(Title VII of the Civil Rights Act of 1964, as Amended ("Title VII") - Sexual Harassment)  
Plaintiff v. Defendant Company Dennis Group**

18. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

19. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the sexual harassment of her by the Defendant Company Dennis Group.

20. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

21. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

22. The Plaintiff was severely and adversely affected by the Defendant Company Dennis Group's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, The Dennis Group, Inc., and for all damages available pursuant to Title VII.

**Count II**

**(Title VII - Sex/Gender Discrimination and Harassment)  
Plaintiff v. Defendant Company Dennis Group**

23. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

24. The Plaintiff was treated differently as to the terms and conditions of her employment

based upon the Plaintiff's sex/gender and the sexual harassment of her by the Defendant Company Dennis Group.

25. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.
26. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.
27. The Plaintiff was severely and adversely affected by the Defendant Company Dennis Group's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory and harassing conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, The Dennis Group, Inc., and for all damages available pursuant to Title VII.

**Count III**  
**(Title VII - Retaliation)**  
**Plaintiff v. Defendant Company Dennis Group**

28. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.
29. The Plaintiff was treated differently as to the terms and conditions of her employment based upon her sex/gender and her reporting and resisting of sexual harassment. The Plaintiff was retaliated against by Defendant Company Dennis Group based upon her sex/gender and for having reported said sexual harassment.
30. The Plaintiff was retaliated against and was terminated from her employment, at least in part, based upon her sex/gender and reporting and resisting of said sexual harassment.
31. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment.

32. The Plaintiff was severely and adversely affected by the Defendant Company Dennis Group's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct, retaliation and harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, The Dennis Group, Inc., and for all damages available pursuant to Title VII.

**Count IV**  
**(M.G.L. c. 151B - Sexual Harassment)**  
**Plaintiff v. Defendant Company Dennis Group**

33. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

34. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the sexual harassment of her by the Defendant Company Dennis Group.

35. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

36. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

37. The Plaintiff was severely and adversely affected by the Defendant Company Dennis Group's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, The Dennis Group, Inc., and for all damages available pursuant to M.G.L. c. 151B.

**Count V**  
**(M.G.L. c. 151B - Sex/Gender Discrimination and Harassment)**  
**Plaintiff v. Defendant Company Dennis Group**

38. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

39. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the Plaintiff's sex/gender and the sexual harassment of her by the Defendant Company Dennis Group.

40. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

41. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

42. The Plaintiff was severely and adversely affected by the Defendant Company Dennis Group's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory and harassing conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, The Dennis Group, Inc., and for all damages available pursuant to M.G.L. c. 151B.

**Count VI**  
**(M.G.L. c. 151B - Retaliation)**  
**Plaintiff v. Defendant Company Dennis Group**

43. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

44. The Plaintiff was treated differently as to the terms and conditions of her employment based upon her sex/gender and her reporting and resisting of sexual harassment. The Plaintiff was retaliated against by the Defendant Company Dennis Group based upon her sex/gender and for having reported said sexual harassment.

45. The Plaintiff was retaliated against and was terminated from her employment, at least in part, based upon her sex/gender and reporting and resisting of said sexual harassment.

46. This environment and the conditions imposed upon the Plaintiff related to and adversely

affected the terms and conditions of her employment.

47. The Plaintiff was severely and adversely affected by the Defendant Company Dennis Group's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct, retaliation and harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, The Dennis Group, Inc., and for all damages available pursuant to M.G.L. c. 151B.

**Count VII**  
**(Title VII of the Civil Rights Act of 1964, as Amended ("Title VII") - Sexual Harassment)**  
**Plaintiff v. Defendant Company Andrade Gutierrez**

48. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.
49. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the sexual harassment of her by the Defendant Company Andrade Gutierrez.
50. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.
51. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.
52. The Plaintiff was severely and adversely affected by the Defendant Company Andrade Gutierrez's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Andrade Gutierrez of America, Inc., and for all damages available pursuant to Title VII.



**Count VIII**  
**(Title VII - Sex/Gender Discrimination and Harassment)**  
**Plaintiff v. Defendant Company Andrade Gutierrez**

53. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

54. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the Plaintiff's sex/gender and the sexual harassment of her by the Defendant Company Andrade Gutierrez.

55. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

56. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

57. The Plaintiff was severely and adversely affected by the Defendant Company Andrade Gutierrez's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory and harassing conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Andrade Gutierrez of America, Inc., and for all damages available pursuant to Title VII.

**Count IX**  
**(Title VII - Retaliation)**  
**Plaintiff v. Defendant Company Andrade Gutierrez**

58. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

59. The Plaintiff was treated differently as to the terms and conditions of her employment based upon her sex/gender and her reporting and resisting of sexual harassment. The Plaintiff was retaliated against by Defendant Company Andrade Gutierrez based upon her

sex/gender and for having reported said sexual harassment.

60. The Plaintiff was retaliated against and was terminated from her employment, at least in part, based upon her sex/gender and reporting and resisting of said sexual harassment.

61. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment.

62. The Plaintiff was severely and adversely affected by the Defendant Company Andrade Gutierrez's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct, retaliation and harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Andrade Gutierrez of America, Inc., and for all damages available pursuant to Title VII.

**Count X**  
**(M.G.L. c. 151B - Sexual Harassment)**  
**Plaintiff v. Defendant Company Andrade Gutierrez**

63. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

64. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the sexual harassment of her by the Defendant Company Andrade Gutierrez.

65. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

66. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

67. The Plaintiff was severely and adversely affected by the Defendant Company Andrade Gutierrez's conduct and the failure of the Defendants to take reasonable steps to ensure

that this discriminatory conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Andrade Gutierrez of America, Inc., and for all damages available pursuant to M.G.L. c. 151B.

**Count XI**  
**(M.G.L. c. 151B - Sex/Gender Discrimination and Harassment)**  
**Plaintiff v. Defendant Company Andrade Gutierrez**

68. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

69. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the Plaintiff's sex/gender and the sexual harassment of her by the Defendant Company Andrade Gutierrez.

70. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

71. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

72. The Plaintiff was severely and adversely affected by the Defendant Company Andrade Gutierrez's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory and harassing conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Andrade Gutierrez of America, Inc., and for all damages available pursuant to M.G.L. c. 151B.

**Count XII**  
**(M.G.L. c. 151B - Retaliation)**  
**Plaintiff v. Defendant Company Andrade Gutierrez**

73. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

74. The Plaintiff was treated differently as to the terms and conditions of her employment based upon her sex/gender and her reporting and resisting of sexual harassment. The Plaintiff was retaliated against by the Defendant Company Andrade Gutierrez based upon her sex/gender and for having reported said sexual harassment.

75. The Plaintiff was retaliated against and was terminated from her employment, at least in part, based upon her sex/gender and reporting and resisting of said sexual harassment.

76. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment.

77. The Plaintiff was severely and adversely affected by the Defendant Company Andrade Gutierrez's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct, retaliation and harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Andrade Gutierrez of America, Inc., and for all damages available pursuant to M.G.L. c. 151B.

**Count XIII**  
**(M.G.L. c. 151B - Sexual Harassment)**  
**Plaintiff v. Defendant McCreary**

78. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

79. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the sexual harassment of the Plaintiff by Defendant McCreary.

80. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment.

81. The Plaintiff was severely and adversely affected by the conduct of Defendant McCreary and the failure of the Defendants to take reasonable steps to ensure that this discriminatory conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Dan McCreary, and for all damages available pursuant to M.G.L. c. 151B.

**Count XIV**  
**(M.G.L. c. 151B - Sex/Gender Discrimination and Harassment)**  
**Plaintiff v. Defendant McCreary**

82. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

83. The Plaintiff was treated differently as to the terms and conditions of her employment based upon the Plaintiff's sex/gender and the sexual harassment of her by Defendant McCreary.

84. The Plaintiff was terminated from her employment, at least in part, based upon her reporting of and/or resisting of said sexual harassment and the sexual harassment itself.

85. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment. The Plaintiff suffered a hostile work environment.

86. The Plaintiff was severely and adversely affected by Defendant McCreary's conduct and the failure of the Defendants to take reasonable steps to ensure that this discriminatory and harassing conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Dan McCreary, and for all damages available pursuant to M.G.L. c. 151B.

**Count XV**  
**(M.G.L. c. 151B - Retaliation)**  
**Plaintiff v. Defendant McCreary**

87. The Plaintiff incorporates herein the previous allegations set forth in this Complaint.

88. The Plaintiff was treated differently as to the terms and conditions of her employment based upon her reporting of sexual harassment and discrimination.

89. This environment and the conditions imposed upon the Plaintiff related to and adversely affected the terms and conditions of her employment.

90. The Plaintiff was severely and adversely affected by the conduct of Defendant McCreary and the failure of Defendants to take reasonable steps to ensure that this discriminatory conduct and sexual harassment would cease.

WHEREFORE, the Plaintiff, Kristin Sleeper, respectfully requests judgment against the Defendant, Dan McCreary, and for all damages available pursuant to M.G.L. c. 151B.

**THE PLAINTIFF DEMANDS A JURY TRIAL AGAINST THE DEFENDANTS  
ON ALL COUNTS SO TRIABLE PURSUANT TO RULE 38 OF THE FEDERAL RULES  
OF CIVIL PROCEDURE AND THE RULES OF CIVIL PROCEDURE OTHERWISE.**

Respectfully submitted,

The Plaintiff  
KRISTIN SLEEPER  
By Her Attorney

/s/ Michael O. Shea  
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